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Official Records

68th plenary meeting
Wednesday, 3 December 2003, 10.30 a.m.
New York

*President*: The Hon. Julian R. Hunte ..... (Saint Lucia)

*In the absence of the President, Mr. Alexandre (Haiti), Vice-President, took the Chair.*

*The meeting was called to order at 10.30 a.m.*

**Agenda item 106**

**Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family**

**Report of the Third Committee (A/58/497)**

**The Acting President**: The Assembly will consider a report of the Third Committee on agenda item 106 entitled, "Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family" (document A/58/497).

I request the Rapporteur of the Third Committee, Mr. Abdulla Eid Salman Al-Sulaiti of Qatar, to introduce the report of the Third Committee.

**Mr. Al-Sulaiti** (Qatar): I have the honour to present for consideration the first part of the report of the Third Committee, submitted under agenda item 106 entitled, "Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family". This report has the symbol A/58/497, part I. In section 3 of the report, the Third Committee recommends to the General Assembly the adoption of a draft resolution entitled "Preparation for and observance of the tenth anniversary of the International Year of the Family in 2004".

**The Acting President**: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the report of the Third Committee which is before the Assembly today.

*It was so decided.*

Statements will therefore be limited to explanations of vote.

The positions of delegations regarding the recommendation of the Third Committee have been made clear in the Committee and are reflected in the relevant official records. May I remind Members that under paragraph 7 of decision 34/401, the General Assembly agreed that "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I also remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the draft resolution, I should like to advise representatives that we are going to proceed to take a decision in the same

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manner as was done in the Third Committee, unless notified otherwise in advance.

The Assembly will now take a decision on the draft resolution recommended by the Third Committee in paragraph 18 of its report.

The draft resolution, entitled "Preparations for the observance of the tenth anniversary of the International Year of the Family in 2004", was adopted by the Third Committee without a vote. May I take it that the Assembly wishes to do the same?

*The draft resolution was adopted* (resolution 58/15).

**The Acting President**: I now give the floor to the representative of the United States to speak in explanation of vote after the vote on the resolution just adopted.

**Ms. Corkery** (United States of America): The United States was pleased to be among the many sponsors of the resolution contained in A/58/497 entitled, "Preparations for the observance of the tenth anniversary of the International Year of the Family in 2004". The United States adheres to the widely accepted view of the role of the family as the basic social unit. Further, the United States finds there to be a strong correlation between the growth of societal problems and family disintegration.

The United States intends to continue advocating the importance of stable families as the core of society. As President Bush said recently, "Strong families make our Nation better. They teach our children values and help them become responsible citizens." The United States believes that the anniversary year must identify measures to overcome those societal problems that undermine stable families. Therefore, the United States looks forward to local, national, and regional 10th anniversary commemorations with such goals in mind. In this vein the United States expects robust Secretariat assistance to such commemorations and activities, as mandated most recently in Assembly resolution 57/164, of 16 January 2003. What is the Secretariat programme for managing this mandate from the United Nations Membership?

The medium-term plan for the period 2002-2005, contained in document Supplement No. 6 (A/57/6/Rev.1), lays out the following Secretariat strategy for advancing work on family issues: first, to provide "assistance to Governments and the global community to further the implementation of major intergovernmental ... policies and programmes to advance families ... issues"; secondly, the goal to be accomplished is the "enhanced capacity of Member States to advance work on social integration, including issues related to ... families"; and thirdly, to gauge the programme's goal achievement by any "increase in the number of family-related policies and programmes adopted at the national level".

This strategy translates into the following Secretariat support functions: joint consultations, advocacy and promotion, research, and technical cooperation.

To be more specific, the mandate requires Secretariat support for national coordinating mechanisms and programmes for observing the anniversary year; relevant projects by the United Nations five regional commissions; and, more specifically from the Department of Economic and Social Affairs (DESA), an inter-university network of family scholars, an interactive Internet forum, a directory of national machineries regarding family issues, promotional materials — such as media kits, posters, and United Nations Radio programming — and a study on the global situation of families as promised for December 2003 by the Secretary-General in his report contained in document E/CN.5/2003/6.

Indeed, the United States looks forward to rapid implementation of today's mandate by the Secretariat, in particular by DESA and the Commission for Social Development, among other United Nations entities.

Of course, follow-up to 1994's United Nations International Year of the Family was to have been ongoing by the Secretariat, as prescribed by the Secretary-General in his 1995 report in document A/50/370. The basic objectives of the follow-up, according to General Assembly's 1997 resolution 52/81 were to strengthen and support families in performing their societal and developmental functions and to build upon families' strengths, in particular at the national and local levels.

The United States delegation was pleased that today's resolution can be implemented within existing resources. Reportedly, the mainstreaming of family issues into the recently created Focal Point on the Family within DESA's Division for Social Policy and Development means that family issues will draw from the Division's wider resources as necessary.

Indeed, that will be the case — not only through the 2004 anniversary year, but also beyond. Today's resolution does more than mandate assistance for anniversary year activities. It establishes a further, deeper mandate to be met by Secretariat programming: it strengthens DESA's programme of work on family pursuant to International Year of the Family +10 objectives in various ways into the future. Indeed, the Focal Point on the Family will continue to require resources as mainstreamed within DESA's programme budget.

Beyond the United Nations in New York, other entities of the United Nations system and other intergovernmental organizations and non-governmental organizations are rightly encouraged to continue their partnership roles with the Organization in implementing the goals of the anniversary year. We draw particular attention to the impressive non-governmental organizations high-level seminar on the family organized by the International Year of the Family +10 Committee at United Nations Headquarters for the 4 December 2003 anniversary launch.

For its part, the United States will programme activities to reaffirm the statements on the family found in the Universal Declaration of Human Rights and to amplify global recognition of family, among other activities. It looks forward to promoting those activities widely.

In closing, it is important to reflect that the people of the world are inextricably linked to one human family. The United States cares about this family, as do others, and it seeks to collaborate with like-minded States for United Nations advocacy of the importance of family to the wider international community.

**The Acting President**: The General Assembly has thus concluded this stage of its consideration of agenda item 106.

**Agenda item 60 (*continued*)**

**Follow-up to the outcome of the Millennium Summit**

**Draft resolution (A/58/L.7/Rev.1)**

**The Acting President**: Members will recall that the General Assembly held its debate on this agenda item, together with agenda item 10, at its 23rd to 27th plenary meetings on 6, 7 and 9 October 2003.

I give the floor to the representative of the Russian Federation to introduce draft resolution A/58/L.7/Rev.1.

**Mr. Lavrov** (Russian Federation) (*spoke in Russian*): On behalf of the delegations of Australia, Azerbaijan, Armenia, Belarus, Brazil, Georgia, Egypt, India, Kazakhstan, China, Kyrgyzstan, Moldova, Thailand, Ukraine, the Republic of South Africa, Japan and the Russian Federation, it is my honour to submit for consideration by the General Assembly the draft resolution entitled "Responding to global threats and challenges".

Today's world civilization unfortunately is ever more frequently obliged to counter various challenges and threats, which are global in nature. The alarming growth of the scale and brutality of international terrorism; illegal drug trafficking; transborder organized crime; continuing bloodshed in regional conflicts; a menacing deterioration of the environment; and the spread of poverty, illiteracy and illnesses — continuing obstacles to sustainable development as a whole — are only some of the problems, the solution to which is impossible without the agreed upon collective efforts of the entire international community.

The fundamental areas and methods for responding to new threats and challenges were agreed upon in the Millennium Declaration, adopted two years ago by Heads of State and Government of United Nations Member States. In light of the unprecedented increase in the pace of international life it is clearly necessary to continuously adapt the actions of the international community to rapidly changing situations in a more focused and coordinated manner in order to mobilize all components of the United Nations system and the efforts of all States, regional organizations, civil society and the private sector towards daily collective work designed to seek out effective answers to the threats and challenges of our time. That was the objective of General Assembly resolution 57/145, which was unanimously adopted a year ago and called for the United Nations to play a coordinating and leading role in drawing up an integrated and effective strategy for responding to the global threats and challenges of the twenty-first century in the context of moving towards the objectives enshrined in the Millennium Declaration.

Many Member States and regional organizations responded to that resolution and submitted their views

to the United Nations Secretary-General. Subsequently, as is well known, the Secretary-General put forward an initiative for the establishment of the High-Level Panel on Threats, Challenges and Change, which will very soon begin its work.

The draft resolution submitted today for consideration by the United Nations General Assembly has been prepared following a series of informal consultations in October and November. We would like to thank all delegations who participated in the discussion.

The proposals put forward have been taken into account by the sponsors in the text proposed for consideration. The preamble reaffirms the coordinating and leading role of the United Nations in the establishment of a cohesive and effective system of response to global threats and challenges, and recognizes the importance of a comprehensive approach to their elimination on the basis of the United Nations Charter and international law, and welcomes the report of the Secretary-General on the implementation of the Millennium Declaration and the observations it contains regarding ways and means for further responding to threats and challenges.

The operative part takes note of the increased interaction on the part of the international community to counter global threats and challenges, and contains recommendations to continue efforts in this direction with the leading role played by the United Nations. Paragraph 4 welcomes the establishment by the Secretary-General of the High-Level Panel on Threats, Challenges and Change in order to prepare proposals for collective action, and expresses the readiness of the General Assembly to consider as a matter of priority at its fifty-ninth session the recommendations of the Secretary-General on the results of the work of the Panel.

The sponsors hope that the draft resolution will be adopted by consensus.

**The Acting President**: The Assembly will now take a decision on draft resolution A/58/L.7/Rev.1, entitled "Responding to global threats and challenges". May I take it that the Assembly decides to adopt draft resolution A/58/L.7/Rev.1?

*Draft resolution A/58/L.7/Rev.1 was adopted* (resolution 58/16).

**The Acting President**: We will now have an explanation of vote after the vote by Spain.

**Mr. Carriedo** (Spain) (*spoke in Spanish*): As regards operative paragraph 1 of the draft resolution, my delegation would like to state once again the well known position of the Government of Spain, according to which terrorism is a unique phenomenon that should not be further qualified.

As President Aznar pointed out in his statement to the Security Council on 6 May, terrorism is unique despite its thousand faces. It takes on different aspects, but it has one substantive identity. There is no such thing as domestic terrorism and international terrorism, old or new, first- or second-class terrorism. The classification is something that academics may wish to discuss, but it is not a political concept, and despite any alleged intentions, it just spreads confusion. All types of terrorism, which are manifestations of violence, are fundamentally the same and must be combated with the same hostility and with the same lack of sympathy.

That was recognized by the Security Council itself in resolution 1456 (2003) of 20 January 2003, where it used the term "terrorism in all its forms and manifestations" and thus avoided qualifying it in any way.

The Spanish delegation trusts that these considerations will be taken into account at future sessions of the General Assembly in examining this or other draft resolutions.

**The Acting President**: We have heard the only speaker in explanation of vote. The General Assembly has thus concluded this stage of its consideration of agenda item 60.

**Agenda item 43 (*continued*)**

**Return or restitution of cultural property to the countries of origin**

**Draft resolution (A/58/L.20)**

**The Acting President**: Members will recall that the Assembly held the debate on this item at its 51st plenary meeting, on 31 October 2003. In connection with this item, the Assembly has before it a draft resolution issued as document A/58/L.20.

The General Assembly will now take a vote on draft resolution A/58/L.20. First I would like to

mention the additional sponsors for the draft resolution, namely Bosnia and Herzegovina, Germany, Mauritania, Nepal and Tunisia.

May I take it that the Assembly decides to adopt draft resolution A/58/L.20?

*Draft resolution A/58/L.20 was adopted* (resolution 58/17).

**The Acting President**: May I take it that it is the wish of the Assembly to conclude its consideration of agenda item 43?

*It was so decided.*

**Agenda item 24 (*continued*)**

**Implementation of the resolutions of the United Nations**

**The Acting President**: It is my understanding there is no request to consider this item at the present session. May I take it that it is the wish of the General Assembly to defer consideration of this item to the fifty-ninth session, and to include it in the provisional agenda of the fifty-ninth session?

*It was so decided* (decision 58/513).

**The Acting President**: This concludes our consideration of agenda item 24.

**Agenda item 17 (*continued*)**

**Appointments to fill vacancies in subsidiary organs and other appointments**

**(g) Appointment of members of the Committee on Conferences**

**Note by the Secretary-General (A/58/107/Rev.1)**

**The Acting President**: The General Assembly has before it a note by the Secretary-General issued as document A/58/107/Rev.1. As indicated in that document, since the terms of office of Argentina, Benin, Finland, Kyrgyzstan, Lithuania, Peru and Sierra Leone will expire on 31 December 2003, it will be necessary for the President of the General Assembly to appoint, during the current session, seven members to fill the resulting vacancies. The members so appointed will serve for a period of three years, beginning on 1 January 2004.

After consultation with the Chairmen of the Groups of African States, Asian States, Eastern European States, Latin American and Caribbean States, and Western European and Other States, the President has appointed Argentina, Germany, Mexico, Nigeria, Romania, Senegal and the Syrian Arab Republic as members of the Committee on the Conferences, whose terms of office take effect from 1 January 2004. May I take it that the Assembly takes note of these appointments?

*It was so decided* (decision 58/409).

**The Acting President**: May I take it that it is the wish of the General Assembly to conclude its consideration of sub-item (g) of agenda item 17?

*It was so decided.*

**Agenda item 38 (*continued*)**

**Question of Palestine**

**Draft resolutions (A/58/L.23, A/58/L.24, A/58/L.25 and A/58/L.26/Rev.1)**

**The Acting President**: The General Assembly will resume its consideration of agenda item 38 entitled "Question of Palestine" to take action on draft resolution A/58/L.23 to A/58/L.26/Rev.1. Members will recall that the General Assembly held a debate on this item at its 65th and 66th meetings, on 1 and 2 December 2003.

We shall now proceed to consider draft resolutions A/58/L.23 to A/58/L.26/Rev.1.

Before giving the floor to the speaker in explanation of vote before the vote, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Shacham** (Israel): Israel will vote against the draft resolutions contained in documents A/58/L.23, A/58/L.24, A/58/L.25 and A/58/L.26 Rev.1. The ritualistic recycling of these outdated draft resolutions year after year remains utterly oblivious to the realities in the Middle East and contradictory to the letter and spirit of signed accords.

Draft resolutions A/58/L.23 and L.24 refer respectively to what are termed the "Committee on the Exercise of the Inalienable Rights of the Palestinian

People" and the "Division for Palestinian Rights of the Secretariat". Since their inception, these bodies have obstructed dialogue and understanding through a preset, one-sided portrayal of the Arab-Israeli conflict. They are engaged in activities that hinder, rather than promote, progress towards achieving a peaceful, negotiated and mutually acceptable solution. Moreover, the Division for Palestinian Rights, being a body within the Secretariat mandated to advance the interests of one side to a conflict, is absolutely contrary to the impartiality and the objectivity required of the Secretariat by the United Nations Charter, and is an example of the bias and lack of legitimacy associated with the United Nations treatment of the Israeli-Palestinian conflict. In addition, these bodies expend valuable resources which could be better invested in responding to the real needs of the Palestinians in the West Bank and Gaza, let alone other conflicts throughout the globe.

Draft resolution A/58/L.25 endorses the "special information programme on the question of Palestine of the Department of Public Information of the Secretariat". This programme, through its various seminars, missions and exhibits, also promotes a distorted and one-sided perspective of the conflict.

Draft resolution A/58/L.26/Rev.1 claims to support a "Peaceful settlement of the question of Palestine". Yet the draft resolution, in content and purpose, actually goes against the agreements already achieved between the parties and undermines the peace process it professes to support. As is so common in General Assembly resolutions on Arab-Israeli issues, it pretends that Israel has responsibilities with no rights and that Palestinians have rights but no responsibilities. This draft resolution openly seeks to predetermine issues that must be resolved through negotiations, violates existing agreements and undermines the integrity and the foundations of the peace process.

**The Acting President**: We have heard the only speaker in the explanation of vote before the vote.

The Assembly will now take decisions on draft resolutions A/58/L.23 to A/58/L.26/Rev.1.

We turn first to draft resolution A/58/L.23, entitled, "Committee on the Exercise of the Inalienable Rights of the Palestinian People".

I should like to announce that since the introduction of the draft resolution, the following countries have become sponsors of A/58/L.23: Namibia, Oman and Togo.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

Australia, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

*Abstaining*:

Albania, Andorra, Argentina, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland,

Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tonga, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan

*Draft resolution A/58/L.23 was adopted by 97 votes to 7, with 60 abstentions* (resolution 58/18).

[Subsequently the delegations of Ghana, South Africa, Turkmenistan and the United Arab Emirates informed the Secretariat that they had intended to vote in favour, and Georgia had intended to abstain.]

**The Acting President**: We turn next to draft resolution A/58/L.24, entitled, "Division for Palestinian Rights of the Secretariat".

I should like to announce that since the introduction of the draft resolution, the following countries have become sponsors of A/58/L.24: Namibia and Oman.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Saint Lucia, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

*Abstaining*:

Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malawi, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uzbekistan

*Draft resolution A/58/L.24 was adopted by 98 votes to 6, with 63 abstentions* (resolution 58/19).

[Subsequently the delegation of Turkmenistan informed the Secretariat that it had intended to vote in favour, and the delegation of Georgia had intended to abstain.]

**The Acting President**: We turn next to draft resolution A/58/L.25, entitled "Special information programme on the question of Palestine of the Department of Public Information of the Secretariat".

I should like to announce that since the introduction of the draft resolution, the following countries have become sponsors of A/58/L.25: Namibia and Oman.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso,

Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

*Abstaining*:

Australia, Honduras, Rwanda, Tonga, Uganda, Uzbekistan

*Draft resolution A/58/L.25 was adopted by 159 votes to 6, with 6 abstentions* (resolution 58/20).

[Subsequently, the delegations of Georgia and Turkmenistan informed the Secretariat that they had intended to vote in favour.]

**The Acting President**: The Assembly will now take a decision on draft resolution A/58/L.26/Rev.1, entitled "Peaceful settlement of the question of Palestine".

I would like to announce that since the introduction of draft resolution A/58/L.26/Rev.1, the following countries have become sponsors: Namibia and Oman.

A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South

Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against:*

Israel, Marshall Islands, Micronesia (Federated States of), Palau, Uganda, United States of America

*Abstaining:*

Australia, Honduras, Nauru, Rwanda, Tonga

*Draft resolution A/58/L.26/Rev.1 was adopted by 160 votes to 6, with 5 abstentions* (resolution 58/21).

[Subsequently, the delegations of Georgia, Turkmenistan and the United Arab Emirates informed the Secretariat that they had intended to vote in favour.]

**The Acting President**: Before giving the floor to speakers in explanation of vote after the voting, may I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

**Ms. Price** (Canada): Canada has consistently supported the rights of the Palestinian people, including the rights to self-determination and to a Palestinian State, while emphasizing the importance of the negotiating process in the fulfilment of those rights. However, we question the value added by the work of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and of the Division for Palestinian Rights in the pursuit of that ultimate goal. Therefore we have maintained our abstention on the draft resolutions contained in documents A/58/L.23 and A/58/L.24.

**Mr. Carnelos** (Italy): I have the honour to speak on behalf of the European Union. The acceding countries of the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia and the associated countries of Bulgaria and Romania, as well as the European Free Trade Association country member of the European Economic Area, Iceland, align themselves with this explanation of vote. I would like to explain the votes by those countries on draft resolution A/58/L.23, entitled "Committee on the Exercise of the Inalienable Rights of the Palestinian People", and draft resolution A/58/L.24, entitled "Division for Palestinian Rights of the Secretariat".

During the past year the Middle East was again struck by great tragedy and violence, resulting, inter alia, in an alarmingly high number of civilian casualties. The European Union condemns the recent acts of terror and violence, which only serve to endanger the peace process towards reconciliation. We are convinced that the framework of the peace process represents the only reasonable hope for ending a conflict that has already caused far too much suffering for the peoples involved.

The European Union remains committed to the Quartet's road map, which was presented to the parties on 30 April 2003. Israelis and Palestinians must address the core issues that divide them through sustained negotiation, moving quickly towards implementation of the road map, in order to realize the vision of two States, Israel and Palestine, living side by side within secure and recognized borders.

The European Union regrets the fact that the terms of reference of the two United Nations bodies dealing with the question of Palestine that are the subject of the two draft resolutions I have referred to do not sufficiently reflect the spirit of the peace process. It is for that reason that, as in the past, we have abstained on the voting on those two draft resolutions.

**Mr. Thomson** (United Kingdom): I can be brief.

The United Kingdom, like its partners in the European Union, voted in favour of draft resolution A/58/L.26/Rev.1, entitled "Peaceful settlement of the question of Palestine". We did so because we support the need to find a just and peaceful solution to the Israeli-Palestine conflict. But the United Kingdom regrets that the draft resolution was not better balanced.

The United Kingdom condemns terrorism absolutely.

Both sides have obligations they need to fulfil in order to make progress on the road map. The United Kingdom continues to stand ready to help both sides in their endeavour to find peace.

**The Acting President**: We have now heard the last speaker in explanation of vote after the voting.

**Mr. Al-Kidwa** (Palestine) (*spoke in Arabic*): First of all, we would like to express our gratitude and deep appreciation to the many States that voted in favour of the important draft resolutions just adopted. In order to be brief, I would also like to thank beforehand the countries that will support the draft resolutions introduced under the agenda item entitled "The situation in the Middle East". In particular, we would like to thank friendly countries that have sponsored those draft resolutions, as well as the Member States and observers in the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

There is undoubtedly great political value in the adoption of these draft resolutions by such an overwhelming majority. That majority was achieved despite the intense pressure exerted, which we know full well to have exceeded the pressure exerted in years past. We would like to state that opposition to those draft resolutions is in a political sense an Israeli opposition only, which is, regretfully, backed by the United States of America.

We reiterate our thanks and appreciation to all the countries that have backed those important resolutions.

**The Acting President**: May I take it that it is the wish of the General Assembly to conclude this stage of its consideration of agenda item 38?

*It was so decided.*

**Agenda item 37 (*continued*)**

**The situation in the Middle East**

**Draft resolutions (A/58/L.27 and A/58/L.28)**

**The Acting President**: Members will recall that the General Assembly held the debate on this item at its 66th and 67th plenary meetings, on 2 December 2003.

We shall now proceed to consider draft resolutions A/58/L.27 and A/58/L.28.

I call on the representative of Israel, who wishes to speak in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Shacham** (Israel): Israel will vote against the draft resolutions contained in documents A/58/L.27 and A/58/L.28.

Regarding draft resolution A/58/L.27, Israel has stated its position on its capital, Jerusalem, on many occasions, and it is a matter of public record. Moreover, Jerusalem is an issue expressly reserved for permanent status negotiations between the parties, which we are currently endeavouring to reconvene. Both Israel and the Palestinians have committed themselves to resolving issues relating to Jerusalem exclusively through negotiations. The attempt to use this forum as an alternative to the negotiations violates the agreements between the sides and undermines the foundation of trust and cooperation that is so necessary for the permanent status talks to reach a fruitful outcome. That is why Israel finds the language in this draft resolution on Jerusalem to be unacceptable.

Concerning draft resolution A/58/L.28, on the Golan, Israel has stated on many occasions and at the highest levels its willingness and interest in resuming its negotiations with Syria without preconditions. As we have stated previously, the Middle East peace process is based, first and foremost, on the principle of direct negotiations. The letter of invitation to the Madrid Peace Conference of 30 October 1991 calls for

> "the parties to achieve a just, lasting and comprehensive peace settlement, through direct negotiations ... based on United Nations Security Council resolutions 242 (1967) and 338 (1973). The objective of this process is real peace".

However, the language of this draft resolution attempts to predetermine the outcome of those negotiations and thus stands in contradiction to any genuine notion of a negotiated settlement.

For those reasons, Israel will vote against these two draft resolutions.

**The Acting President**: We have heard the only speaker in explanation of vote before the voting.

The Assembly will now take decisions on draft resolutions A/58/L.27 and A/58/L.28.

We turn first to draft resolution A/58/L.27, entitled "Jerusalem". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Canada, Cape Verde, Central African Republic, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

Costa Rica, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Uganda, United States of America

*Abstaining*:

El Salvador, Guatemala, Honduras, Nicaragua, Rwanda, Solomon Islands, Tonga

*Draft resolution A/58/L.27 was adopted by 155 votes to 8, with 7 abstentions* (resolution 58/22).

**The Acting President**: Draft resolution A/58/L.28 is entitled "The Syrian Golan". A recorded vote has been requested.

*A recorded vote was taken.*

*In favour*:

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Comoros, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Philippines, Qatar, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

*Against*:

Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

*Abstaining*:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Kazakhstan, Latvia, Liechtenstein,

Lithuania, Luxembourg, Malta, Monaco, Nauru, Netherlands, New Zealand, Nicaragua, Norway, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Samoa, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay

*Draft resolution A/58/L.28 was adopted by 104 votes to 5, with 61 abstentions* (resolution 58/23).

[Subsequently, the delegation of the Democratic Republic of Korea informed the Secretariat that it had intended to vote in favour.]

**The Acting President**: I shall now call on those representatives who wish to speak in explanation of vote on the resolutions just adopted. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

**Mr. Estremé** (Argentina) (*spoke in Spanish*): The Argentine Republic voted in favour of draft resolution A/58/L.28, on the Syrian Golan, because we believe that its essential aspect is linked to the illicit nature of the acquisition of territory by force. Article 2, paragraph 4, of the Charter of the United Nations prohibits the threat or use of force against the territorial integrity of a State. That is an imperative norm of international law.

At the same time, I wish to clarify the position of the Argentine delegation with respect to operative paragraph 6 of the draft resolution. Argentina's vote does not necessarily prejudge the contents of that paragraph, particularly the reference to the line of 4 June 1967.

**Mr. Sardenberg** (Brazil): My delegation voted in favour of draft resolution A/58/L.28, entitled "The Syrian Golan". That vote expresses the support of the Brazilian Government for the draft resolution's driving force: the call for all parties to resume peace talks aimed at establishing a just and comprehensive peace in the Middle East. Nonetheless, regarding operative paragraph 6, I should stress the Brazilian Government's position that the border between Israel and Syria is a matter of negotiation between the two parties on the basis of the parameters established by Security Council resolutions 242 (1967) and 338 (1973).

**Mr. Carnelos** (Italy): I have the honour to speak on behalf of the European Union. The acceding countries, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia, the associated countries, Bulgaria and Romania and the European Free Trade Association country belonging to the European Economic Area, Iceland, align themselves with this explanation of vote on the draft resolution just adopted.

I should like to explain my country's vote on draft resolution A/58/L.28, entitled "The Syrian Golan". The European Union is deeply concerned about the continued deterioration of the situation in the Middle East. The current spiral of violence must cease. There can be no military solution to the Middle East conflict. A just, lasting and comprehensive settlement of the situation in the Middle East — including on the Syrian and Lebanese tracks — must be based on Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003); on the Madrid terms of reference, in particular the principle of land for peace; and on the implementation of the road map and all existing agreements between the parties. We shall continue to work relentlessly with the regional parties and within the Quartet towards that goal.

The European Union also wishes to point out that a final peace settlement will not be complete if it fails to take into account the Israeli-Syrian and Israeli-Lebanese aspects. Negotiations should resume as soon as possible with the aim of reaching an agreement. In that regard, the European Union welcomes the Arab peace initiative endorsed at the Arab League Summit in Beirut, which offers the prospect of a comprehensive peace settlement for the whole Middle East region.

We believe that the draft resolution on the Syrian Golan contains geographical references that could undermine the process of bilateral negotiation. For that reason, as in previous years, the European Union abstained from voting on the draft resolution.

**Mr. Maalouf** (United States of America): The United States remains committed to a comprehensive, just and lasting peace in the Middle East on all tracks. Our opposition to the General Assembly draft resolution regarding the Syrian Golan (A/58/L.28) stems from the perspective the draft presents regarding the situation in the Middle East: it implies that only

Israel has obligations and responsibilities to make peace. This one-sided draft resolution is not consistent with Syria's professed desire to resolve the Golan issue through negotiations, as mandated by Security Council resolutions 242 (1967) and 338 (1973).

Syrian President Assad recently reaffirmed his support for a comprehensive, just and lasting peace in the Middle East. Syrian actions must reflect those words. Regrettably, all too often they do not. Syrian support for terrorist groups dedicated to the perpetuation of the Arab-Israeli conflict exacerbates regional tensions and threatens regional peace. The impact of Syria in Lebanon is harmful to Lebanon's prospects for full restoration of its sovereignty. Lebanon's sovereignty has been mentioned in numerous past Security Council resolutions.

We urge Syria to address those issues and to do what is necessary for a resumption of the peace negotiations.

**The Acting President**: We have heard the last speaker in explanation of vote on the resolution just adopted.

I now give the floor to the representative of the Syrian Arab Republic.

**Mr. Mekdad** (Syrian Arab Republic) (*spoke in Arabic*): My delegation would like to thank the delegations that voted in favour of draft resolution A/58/L.28 on the Syrian Arab Golan. The resolution reaffirms once again that occupation, together with the establishment of settlements and violation of the rights of peoples, must be rejected by everyone.

Through today's vote, the General Assembly has sent Israel a clear message about the need to respect the principles of the Charter of the United Nations concerning the inadmissibility of the acquisition of territory by force, as well as the need to withdraw from all the Syrian Golan to the line of 4 June 1967. Israel's decision to impose its jurisdiction, its laws and its administration on the occupied Syrian Golan is null and void and has no legality whatsoever. Israel's continued occupation and de facto annexation of the Golan constitutes a stumbling block in the way of achieving a just, comprehensive and lasting peace in the region. Israel must heed and abide by the international community's voice. A settlement can be achieved only if Israel withdraws from occupied territory to the line of 4 June 1967 and if it restores the legitimate rights of peoples, in particular the Palestinian people.

We listened to the statement just made by the representative of the United States of America. It was a highly regrettable statement because the United States is a sponsor of the peace process that began in Madrid, and a sponsor is expected to be impartial and just. But to be biased and blindly unfair, as the United States has been, is completely unacceptable.

As shown in the statement made yesterday by its President, Mr. Bashar Al-Assad, Syria is and always has been sincere regarding its commitments to the international community. The United States is the one most familiar with the commitments and agreements that Syria has signed with the United States through negotiations sponsored by the United States in which Syria committed itself to a just and lasting settlement. What we heard from the representative of the United States was a false and distorted statement that twisted reality. Introducing a foreign issue into the item and the draft resolution under discussion is absurd and deserves no comment. The Syrian presence in Lebanon, which is not the subject of our discussion today, is based on Lebanon's request on relevant agreements. Syria wants Lebanon to enjoy its full sovereignty and independence, and this has constantly been reaffirmed by Syria. The interjection of this issue by the representative of the United States of America for personal reasons, I suspect, is absolutely unacceptable. I invite the United States delegation to think over what its representative said so irresponsibly before the General Assembly.

**The Acting President**: I have been informed that it would be advisable to keep items 37 and 38 open in the agenda of the fifty-eighth session. Therefore, we have thus concluded this stage of our consideration of agenda items 37 and 38.

**Mr. Diab** (Lebanon) (*spoke in Arabic*): I was obliged to ask for the floor to comment on what was said by the representative of the United States. We would like to express our regret regarding the irresponsible remarks of the United States representative. His remarks have, moreover, nothing to do with the question under consideration, that is, the Syrian Golan occupied by Israel since 1967, in contravention of General Assembly and Security Council resolutions.

I would like to reiterate that Syrian-Lebanese relations are governed by friendly ties and good-neighbourly relations. The presence of Syria in Lebanon is based on agreements concluded between Syria and Lebanon. We urge the representative of the United States to give thought to the irresponsible remarks he made because they are rejected.

**The Acting President**: Before moving to the next item, I would like to make an announcement regarding the programme of work of the plenary for Friday, 5 December 2003. In addition to agenda items 28 and 40 (f) relating to Afghanistan, the General Assembly will take up, as a second item, agenda item 35, "Consequences of the Iraqi occupation of and aggression against Kuwait". As the third item, the General Assembly will take up agenda item 40 and its sub-items (a) to (e) relating to humanitarian assistance, in order to take action on draft resolutions A/58/L.22 and A/58/L.32 to A/58/L.35.

*The meeting rose at 11.45 a.m.*